



**Office of the Zoning Board of Appeals**

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**THE COMMONWEALTH OF MASSACHUSETTS**

**Town of Grafton**

**BOARD OF APPEALS**

**Thursday, December 5, 2019**

**Case Number:**

**2019 /864**

**Special Permit**

**MARY GILGALLON**

RECEIVED TOWN CLERK  
GRAFTON MA  
2020 JAN 17 AM 9:07

of 3 MILLBURY STREET requesting that the Zoning Board of Appeals grants a Special Permit  
for

THE "CARRIAGE HOUSE" ACCESSORY BUILDING PERMIT FOR RESIDENTIAL USE TO BE MODIFIED TO ALLOW A ONE BEDROOM APARTMENT TO BE LOCATED THEREIN. THE CARRIAGE HOUSE WAS BUILT ALONG WITH THE MAIN DWELLING (ROUGHLY 1839) AND WAS PROPERLY PERMITTED AS A PLAYROOM/EXERCISE/ BONUS ROOM IN 1989. THE BUILDINGS AND RESIDENTIAL USE THEREOF PREDATES THE PRESENT ZONING BY-LAWS WHICH DO NOT GENERALLY ALLOW RESIDENTIAL USES IN THE NB ZONE. GRANTING OF THIS SPECIAL PERMIT MODIFYING THE NON-CONFORMING USE WILL NOT BE MORE DETRIMENTAL TO THE NEIGHBORHOOD AND WILL NOT NEGATIVELY IMPACT THE NEIGHBORHOOD TRAFFIC PATTERNS OR PEDESTRIAN SAFETY. BOOK: 41614 PAGE: 195

At their duly held meeting Thursday, January 9, 2020 the Zoning Board of Appeals took the following action

Motion was made by Vice Chairman - Ms. Desrosiers and seconded by Clerk - Ms. Reed

That the Zoning Board of Appeals grant a Special Permit to MARY GILGALLON

at 3 MILLBURY STREET GRAFTON MA

TO ALLOW THE CARRIAGE HOUSE, ACCESSORY BUILDING TO BE MODIFIED INTO A ONE BEDROOM APARTMENT, SUBJECT TO THE FOLLOWING CONDITION. CONDITION 1: THE ISSUE OF DISTANCE FROM PARKING SPACE TO RETAINING WALL DISCUSSED IN JOE LAYDON'S MEMO DATED 9-JANUARY-2020 IS ADDRESSED AND 6 PARKING SPACES PROVIDED.

**FINDINGS:**

F1. THE STRUCTURE WAS BUILT IN 1839.

F2. THE PARCEL WAS PURCHASED IN 2002.

F3. THE USE IS A 2 FAMILY AND 2 FAMILIES ARE NOT ALLOWED IN NB (NEIGHBORHOOD BUSINESS).

BASED ON FINDINGS F1-F3, THE USE IS A PRE-EXISTING, NON-CONFORMING USE.






F4. THE CURRENT USE IS A 2 FAMILY.,  
F5. THE PROPOSED USE IS A 3 FAMILY.  
F6. THE NEIGHBORHOOD CONSISTS OF PRIMARILY SINGLE FAMILY AND MULTI-FAMILY HOMES.  
BASED ON FINDINGS F4-F6, THE PROPOSED CHANGE IN USE IS NOT MORE DETRIMENTAL TO THE NEIGHBORHOOD.

**On a roll-call vote:**

Chairman: Yes	Member 2: Yes
Vice Chairman: Yes	Alternate 1:
Clerk: Yes	Alternate 2:
Member 1: No	

**Motion Granted**

This decision is final except that any person who may be aggrieved by this decision has the right to appeal to the Superior Court in accordance with the provisions G.L. c. 40A.

William McCusker, Chairman	
Marianne Desrosiers, Vice Chairman	
Kay Reed, Clerk	
William Yeomans, Member	
Brian Waller, Member	
, Alternate Member	
, Alternate Member	